



PATENT APPLICATION
Mo-6591
LeA 33,454

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
THOMAS ELSNER ET AL) GROUP NO. 1723
SERIAL NUMBER: 09/937,467)
FILED: SEPTEMBER 25, 2001) EXAMINER: DAVID L. SORKIN
TITLE: DEVICE AND METHOD FOR)
DEGASSING PLASTICS)

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(A)

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicants, by the undersigned attorney, respectfully petition the Commissioner for Patents under the provisions of 37 CFR 1.136(A) to extend the time for filing their response so that the Amendment and Request For Continued Examination (RCE) filed simultaneously with this Petition will be considered timely filed.

Express mail" mailing label number ER 776893378 US

Date of Deposit January 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450.

Donna J. Veatch

(Name of person mailing paper or fee)


(Signature of person mailing paper or fee)

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Applicants wish to point out that the period for reply as indicated on the summary page of the Advisory Action of December 29, 2003 is incorrect. The period for reply in the present case does not expire 3 months from the mailing of the Final Rejection. In light of Applicants' timely filed amendment under 35 U.S.C. §1.116, and the date of the Advisory Action which is in excess of 3 months from the date of the Final Rejection, the shortened statutory period expired on the date of the Advisory Action. The dates are summarized as follows.

Final Rejection	Monday, August 11, 2003
Columbus Day Holiday	Monday, October 13, 2003
1.116 Amendment	Tuesday, October 14, 2003
Advisory Action	Monday, December 29, 2003

In light of the federal holiday of Monday, October 13, 2003 (Columbus Day), Applicants' amendment under 35 U.S.C. §1.116 was timely filed within two (2) months of the Final Rejection. See the attached copy of the 2003 federal holidays, which was obtained from the USPTO's web site. See also MPEP 706.07(f) - Time for Reply to Final Rejection.

Please charge the fee for response within the first month, \$110.00, to Deposit Account Number 13-3848. This paper is also authorization to charge any insufficiency of fees due with this filing to Deposit Account Number 13-3848. Triplicate copies of this paper are attached.

Respectfully submitted,

By



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